

great fame had cast their spell, and it found lodgment not alone in his mind, but went to his heart, and became a part of his life.

Travelling home from Washington with Senator W. T. Colquitt and two of his daughters as companions, the party went by rail to Covington, Georgia, and there took a stage. At Franklin, Alabama, Curry again took up his journey alone by rail to Montgomery, whence he travelled in a two-horse hack to Talladega. The young Alabamian reached home in an exalted state of mind, for he had travelled much and seen much of men and cities. He had touched hands with his political heroes at the national capitol, and had heard presidents speak and hobnobbed with Senators and felt the impulse of the time at the very center of things. His year and one-half at Harvard and in New England had been, indeed, a vivid and crucial year, and doubtless had developed habits of mind and points of view which unconsciously moulded much of his after life. It is not far-fetched to fancy that from this tutelage came no little of his subsequent aptitude for interpretation, instinct for cosmopolitanism, contempt for intellectual violence and respect for the other man, even if he rejected the other man's opinion as he had rejected most of the current New England dogmas. Curry's nature was fiery and assertive, until suffering tempered his spirit, but he managed, under the most adverse conditions, to escape the blight of provincialism and to hold a place as a citizen of the world. New England, itself, at this time, was boundlessly and aggressively provincial, but the experience of trying to understand other conditions and to do justice to other temperaments—something

perhaps of the high-mindedness and detachment in the "quiet and still air" about the ancient seminary of learning, helped to free his mobile brain and ready sympathy from the shackles of crude thinking and rough obstinacy. It would have been helpful to the larger good if some of the young Sumners and Boutwells of the period in New England could have come South for a part of their education, and thus gained first-hand knowledge and perhaps intelligent sympathy with a people whose destinies they were to affect profoundly, but about whom they knew very little, and—most tragic of all ignorances—did not know that they did not know.

CHAPTER V

LAW AND LEGISLATION

THE years 1845 and 1846 were swift fateful years in the life of the virile young republic. It was just entering upon its first aggressive and foreign war. The empire of Texas was received without precedent directly into statehood without a preliminary and preparatory period in territorial status. Sinister motives were attributed in this annex to the friends of slavery; and the swift enactment of statutes, passing of resolutions in Congress, and movement of armies in the field, showed how tense the matter was and how bound up with the supreme question of public policy vexing the allied states. Annexation would unquestionably strengthen the slave power, but the spirit of expansion was abroad as it was in 1898 when the explosion of a powder magazine in a warship in Cuban waters set a nation irresistibly toward war. Men rejoiced in the ability of the United States to "lick all creation," and a certain youthful boasting and indulgence in superlatives ruled in common talk throughout the land.

For young Curry, down in Alabama, the years were fallow, preparatory years, during which the gifted, well born, well educated young man was getting ready for participation in great affairs. According to the custom of the day, he was reading law in the ~~Office of a local lawyer, Mr. Samuel W. Rice.~~

"At Talladega, I boarded," he writes, "with Mr. Rice; and William W. Knox and I used to go home only six miles nearly every Saturday night. While reading law, I wrote editorials for the 'Watchtower,' visited the ladies, attended a debating society and made many friends and acquaintances in the country." These were useful but innocuous occupations which could, by no chance, do him any harm, and which assure us that the much travelled collegian was not out of touch with other normal stay-at-home young men in that southwestern country. In 1846 he tendered his services to the government as a soldier in the war with Mexico, but his attempt at soldiering proved abortive.

With his eye on politics, he saw two questions, both settled affirmatively, as the principal issues of the state election; "biennial sessions of the legislature and the removal of the capitol from Tuscaloosa." Hon. Franklin W. Bowdon, afterwards a representative in Congress from the district, was a representative from Talladega County, and a leader in the legislature in carrying the two measures. The capitol was removed to Montgomery, the city and county furnishing the building free of cost.

Early in 1846 it became apparent that the adjustment of the boundary line between Texas and Mexico would lead to war. A fierce controversy arose between the Whig and Democratic parties as to the responsibility for the war. The act of Congress for raising troops said that war existed by act of Mexico. . . . The war was popular, and volunteers were numerous and enthusiastic. In May, 1846, a company of infantry was raised in Talladega County. Jacob D. Shelley was captain. I was appointed

second sergeant. Several meetings were held, and I made a number of speeches, in one of which I warned the people against the folly of believing that Mexico could be conquered in a few months, as the Spaniards were proverbially obstinate and resolute.

We marched from Talladega to Wetumpka, where we embarked on a boat for Mobile. At various points receptions were given, and I had to make speeches. We went into camp at Mobile. After annoying delays, we were, with other companies, organized into a regiment, and mustered in for six months. Then the War Department refused to accept us for that period of service, and we were discharged.

The bulk of the company re-enlisted for twelve months. It being uncertain when the troops would be ordered to the scene of war, five of us, Andrew W. Bowie, James Montgomery, William P. Bowden, Dr. C. G. Cunningham and myself, in a most foolhardy spirit, resolved to go to the army on our own charges. A small schooner, the *Duane* (a former revenue cutter, discharged for unseaworthiness) was in the port of Mobile, loading with supplies. . . . We engaged passage and shipped for Point Isabel, against the advice and protest of friends. To us it seemed a dashing, gallant thing, and we enjoyed by anticipation, the frolic. The second day out I became sick, and so continued for twelve days. My weight then was not more than one hundred and twelve pounds. Two days we were becalmed, and under a hot vertical sun we fished and read and played cards, and indulged in day dreams. Then came a terrific storm, the worst I ever saw, and our frail barque seemed every moment as if it would sink. The captain was skillful. When we reached the bar at Point Isabel, the vessel leaked rapidly, and the pumps were used incessantly. By means of a pilotboat, to get into which we ran a narrow risk of being drowned, we were, with our luggage, transported to shore. We bade a ready adieu to the *Duane*, which two days afterwards sank in the harbor.

The day after landing we made our way to a regiment of Texas Rangers, Jack Hays, colonel; Ben McCulloch, lieutenant-colonel; Chevallier, major; and attached ourselves to a company commanded by Captain Acklere. We were not formally mustered into service.

On the fourth of July there was a celebration. Ashbel Smith, who had been minister from Texas to France, made a speech; and so did I.

We remained in camp a week or more, when Dr. Cunningham became dangerously ill, and was ordered to be sent home. An attendant being required, as I was the least, the youngest, and very feeble, I was selected; and unwillingly I became the companion of the sick, hoping, however, to return to Mexico.

It was a command, whose officers and men alike saw gallant and conspicuous service in the Mexican War; being genuine soldiers and fighting folks. Especially picturesque was the figure of Ben McCulloch, the lieutenant-colonel, who had just missed joining Crockett by the merest accident, when the latter had set out on the journey that closed with his life at the ill-fated Alamo; who had handled a gun under Sam Houston in the battle of San Jacinto; and who had served in the Congress of the young republic of Texas; and had been shot in the arm in a duel with Reuben Davis of Mississippi. McCulloch rendered courageous service in the Mexican War, and after its close went with the 'Forty-Niners to California, where he illustrated for a while in his person as sheriff of Sacramento County the glowing verity of Bret Harte's later "Tales of the Argonauts." He came back to the East in 1853, and was killed in battle as a brigadier-general in the service of the Confederacy.

When Curry reached Talladega Dr. Cunningham was much improved; but the psychological moment for a return to the Mexican War did not recur, and he resumed his reading of law in Mr. Rice's office.

"During the year," he says, "after a long and severe examination by Hon. George W. Stone, a circuit judge, I was admitted to the bar, with all the privileges and duties of a lawyer."

In 1847 he was busy with politics. During 1848 and 1849 he practiced his profession with assiduity and apparent success; for in the latter year he was solicitor of Tallapoosa County and had, among others, one or two murder cases. But the routine of law-practice did not appeal to him; and, indeed, it is more than probable that he had intended its practice from the beginning, as did so many of the young disciples of Coke in the South of the earlier half of the nineteenth century, as a mere means of entrance to the more alluring and larger field of politics. In 1850 he abandoned the practice of law, and settled upon a plantation on Salt Creek in Talladega County, that had been given him by his father.

"Although brought up on a farm," he says of himself at this time, "I knew little practically of agriculture; and while fond of the country, my tastes did not lie in the direction of making corn and cotton. My farming, being entrusted largely to negroes, was not profitable. I was economical and never went into debt. I preferred books to overseeing negroes."

This little bit of self-analysis displays quite clearly Curry's real tendencies and ambitions. The drudgery and hard dry exactions of that jealous mistress the law certainly did not appeal to him. Tilling the

soil was clearly obnoxious to his tastes. Even at that early date the real man stood revealed. The strongest impulses of his nature were oratorical and didactic. He not only felt the capacity and the genius to move his fellows by speech, but he had a vehement longing to get up and convince everybody in sight to his way of thinking. As Walter Bagehot observed of Gladstone, he had *a nature* towards his audience. He was sure that if they only knew what he knew they would feel as he felt and believe as he believed. If the cause were moral his enthusiasms increased tenfold, and to the oratorical and didactic impulses were added immediately the dramatic and contentious impulses. Politics attracted him in the mid-century period because the issues of the time were moral and deeply based on principles and enthusiasms and deep loyalties. The pulpit attracted him in the sad days of reconstruction when character and integrity and spiritual steadfastness seemed the only stable things in a tumbled-down world; and the platform attracted him later on when the sun broke through the clouds of the dreary time and he caught the hopeful vision of a land made over in the strength of a new generation trained to new duties and new occasions.

In the meantime, in July, 1847, he became a candidate for the office of representative in the Alabama Legislature. He was now well launched upon a political career, which was congenial to his tastes, and not antagonistic to his studies and his habits of mind, and in which he was destined to become distinguished. In the spring of this year he had served as secretary of the State Democratic Convention at Montgomery, which nominated Reuben Chapman

for governor. His services had already come to be in great demand as a public speaker and the eyes of the democratic leaders of the State were fixed upon him. In regard to his skill and success as a speaker, he modestly writes of himself at this time:

My small size and youthful appearance and the popularity of my father gave me advantages over my competitors. We had appointments at various places, and made public speeches. I had some fluency and success as a speaker.

The burning political question of the day was that of slavery in the Territories; and especially with regard to the Wilmot proviso, a measure that had been introduced into the United States House of Representatives by Mr. Wilmot of Pennsylvania, on behalf of many northern Democrats, applying to the territory proposed to be acquired from Mexico in the settlement of the war by negotiation, the provision of the Ordinance of 1787, which later came to be the language of the Thirteenth Amendment, that "neither slavery nor involuntary servitude shall ever exist in any part of said territory except for crime, whereof the party shall first be duly convicted." The Whigs and the northern Democrats united in favor of the Wilmot proviso in the National House of Representatives, and it had passed the House in the preceding year, but went to the Senate too late to be acted upon.

The introduction and discussion of the Wilmot proviso aroused a crisis of passions upon the slavery question; and the spectre, which the prophetic imagination of Mr. Jefferson had long before conjured up, upon the passage of the Missouri Compro-

mise Act, of a division of the country upon sectional lines,—a vision that “alarmed him like a firebell in the night,”—now presented itself, not as the unsubstantial pageant of a dream, but as a terrible reality.

Upon this imminent question Curry took no uncertain stand. A letter written by him in that year, on the threshold of his political career, attests from its age-yellowed pages the sincerity of his convictions, and the lofty courage of his purpose:—

MR. JAMES H. JOINER,

Dear Sir:—A report, prejudicial to my success, has been in circulation in the lower end of the county, that I am in favor of a property qualification for voters. It is false.

My position in reference to General Taylor is misunderstood. The perilous exigency of the times demands a president who will resist all interference by the general government with our domestic institutions. This discrimination, recognized and adopted in the Wilmot Proviso, is degrading to the South, and all freemen must feel that “death is preferable to acknowledged inferiority.” To resist the effort which will be made to prohibit slavery in the territory to be acquired from Mexico (as just indemnity for the expenses of this war, the spoliations of our commerce, and injuries done to our citizens, which would have justified a declaration of war many years ago), it becomes our duty to take “firm, united and concerted action.”

The South can never support any man for President who is not sound on this paramount and controlling question. Their support of any man would be idle, except as necessary to his success. Then some man must be selected who has popularity,—upon whom all parties at the South can unite. General Taylor, I think, is that man. The West is not quite thoroughly corrupted on the slavery

question; and enough of them might go with us to secure his election.

General Taylor, I have no doubt, is a freetrade man. If he runs as a rabid, partisan Whig, determined to advance Whig measures, without testing the measures, the success of which under Mr. Polk's administration has made his name illustrious and immortal, I would hesitate long. The real issue should be decisively and determinately made up, before I could give him my humble support.

I am not wedded to General Taylor. President Polk, Calhoun, Stevenson, Butler, Walker, Lewis, could get my support as soon or more so, if there were a reasonable probability of success. The South should take her position. The question has to be met. It ought not to be shuffled off or evaded longer. To unite on any one man would be an evidence of our concert, our union, our strength. The emergency requires it. The Constitution requires it. Truth, justice, patriotism, and our interest require of us something more than empty bravado. Action, action, action is not more necessary in oratory than in times of danger.

Yours respectfully,

July 19th. 1847.

J. L. M. CURRY.

This was a remarkable letter to have been written by a youth of twenty-two, who had scarcely finished his law studies. With the understanding of the patriot, no less than with the keen discernment of the politician, he recognized the political dangers that confronted the country, and the possible solution of those dangers in the election of some safe, conservative man as President. The North and the South were facing each other with hostile and defiant fronts on the great issue, which according to the theory of the former involved the cause of humanity itself, and according to that of the latter carried

with it a continuance, or a destruction, as the result might prove, of the civilization and social existence of the South. Over against the fiery denunciations of slavery by Garrison and Wendell Phillips and Owen Lovejoy and Frothingham, Calhoun set the logic of his conclusions in the expression:—

To destroy the existing relations would be to destroy this prosperity (of the Southern States), and to place the two races in a state of conflict which must end in the expulsion or extirpation of one or the other. No other can be substituted compatible with their peace or security. The difficulty is in the diversity of the races. So strongly drawn is the line between the two in consequence, and so strengthened by the force of habit and education that it is impossible for them to exist together in the community where their numbers are so nearly equal as in the slaveholding States, under any other relation than that which now exists. Social and political equality between them is impossible. No power on earth can overcome the difficulty. The causes lie too deep in the principles of our nature to be surmounted. But, without such equality, to change the present condition of the African race, were it possible, would be but to change the form of slavery.

This is a lucid, powerful statement and read in the light of the present, after fifty years of freedom and education and social experimentation, makes it very clear how honest and sincere were the men of the Calhoun type throughout the country, and how well grounded their fears. Men who felt in this way stood on higher ground than greed or inhumanity. Surely no mere oligarchy of wealth could feel and speak after this fashion.

Curry, with the recognition that soldiers are rarely

politicians, and even more rarely partisans, saw in General Taylor, Whig though he acclaimed himself, a figure before which the stormy passions of the political period might subside; and in this patriotic contemplation of the situation many other older and wiser men of his day shared. Yet with all his eagerness to save the country from its impending peril, he fearlessly proclaimed his principles of devotion to the Federal Constitution, as construed by the school of democracy to which he professed allegiance.

On the first Monday in August, 1847, the legislative election was held; and among all the candidates for the Alabama House of Representatives in his county, Curry received the highest number of votes. The legislative sessions had been made biennial; and in the first biennial session which assembled in the new capitol of the State, at Montgomery, later destined to witness the birth, and for a brief time to be the home, of the ill-fated Confederacy, he took the oath of office as a legislator. The session was distinguished among other things of a different character by the election of a United States Senator. The body was overwhelmingly democratic; and the strict-construction candidate was Curry's friend and recent host, Senator Dixon M. Lewis, whom he had named in his letter to Joiner, as worthy of the Presidential nomination, along with General Taylor, the conquering hero of the Mexican War; President Polk, under whose administration that war had been successfully waged; the great triumvir, John C. Calhoun; Andrew Stevenson of Virginia; General William Orlando Butler of Kentucky, who for his gallantry at Monterey had received two swords of honor, and Leroy Pope Walker,

speaker of the Alabama House of Representatives, and later Confederate Secretary of War.

Lewis belonged to the Calhoun school of democracy. He was a strict constructionist, and an ultra State rights democrat. William R. King, his democratic competitor, who had served the State as senator, and who had the year before returned from Paris, whither he had gone as minister to France in 1844, by appointment of President Tyler, was a follower of Van Buren; and went down in defeat before the Nullifier and Secessionist, Lewis.

Lewis was a man of great stature, and weighed considerably more than four hundred pounds. It is said that furniture had to be constructed for his especial use, and that he always engaged two seats in a stage coach or railway car. He was a man of fine ability and noble feelings; and the story is told of him that upon the occasion of the shipwreck of a steamer on which he was a passenger, he refused to enter the boat that was let down to take off the other passengers, until they were all safely landed, for fear of imperilling their safety; and was in imminent danger in the meantime until his final rescue.

"Upon reaching Montgomery," writes Curry of his new experience in the legislature, "I went to the 'Hall,' the leading hotel. The large reception-room was crowded. Mr. King was in one part, surrounded by his friends; Mr. Lewis in another, alike surrounded. My preference for Mr. Lewis being known, I was led to him, and he seated me upon his knee. I was apparently a boy, beardless and slender; Mr. Lewis was the largest man I ever saw. Mr. W. L. Yancey, afterwards so famous, was present, and an ardent supporter of Mr. Lewis, who at the election by the Legislature, was chosen on the eighteenth ballot."

William Lowndes Yancey, whom Curry mentions in the foregoing paragraph, was at that time a member of Congress. It was in this year of 1846 that, as has been said of him, "his mission began." He had been an antagonist of Nullification in South Carolina, where he edited a newspaper that attacked Calhoun and Hayne. Later he moved to Alabama, and formulated that expression of political faith among Southern democrats, that came to be known as "the Alabama platform"; and which in 1860, in the Democratic Convention at Charleston, under the influence of his flaming eloquence, was made the Southern program, and caused the division of the democracy of the Union. Possessed of an unsurpassed and compelling gift of oratory, he was a man of great personal modesty and self-effacement; and he was as much beloved by his friends and political followers as he was feared and hated by his political antagonists. The fame of Yancey's wonderful eloquence, continuing long since the departure of his generation, is still cherished by the descendants of the men who heard it, both gentle and simple, in the Southern States; where

They'll speak of him for years to come
In cottage-chronicle and tale.
When for aught else renown is dumb,
His legend shall prevail.

Upon its organization, the Alabama House of Representatives elected Leroy Pope Walker its speaker. In appointing his committees, Mr. Walker gave Curry an immediate, though not undeserved prominence, by making him chairman of the extremely important committee on Privileges and

Elections; and he also gave him a position on the Judiciary Committee.

The only bill of serious importance introduced by Curry during the session was one "to reform the evils of local legislation by transferring to county and to court jurisdiction many matters which had burdened the legislature." It was a bill in favor of Curry's favorite democratic doctrine of the right of local self-government,—a doctrine that Mr. Burke has accurately and strikingly described:—

To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle,—the germ, as it were,—of public affections. It is the first link in the series by which we proceed towards a love to our country, and to mankind.

To its author's satisfaction the bill became a law. Bills to fund the University debt and for the increase of taxes were the subject of frequent and animated discussion in the legislature. Curry supported both; and he spoke in favor of free public schools, and voted for every proposition looking toward the endowment of the State University.

"I always voted for measures in favor of education," he records of this period of his earliest legislative experience.

During this session of the legislature, the body gave a reception to Generals John A. Quitman and James Shields, both of whom had distinguished themselves in the War with Mexico; and who, like other heroes of that recent struggle, were in high public favor, wherever they went.

During this session, too, Asa Whitney, the originator of the scheme of a transcontinental railroad,

and through whose efforts appropriations were first secured in 1853 for the first surveys covering the northern, southern, and central routes, delivered an address before the legislature in advocacy of his scheme, and sought its endorsement by resolution. Curry, in recalling this speech in 1876, did not remember that Mr. Whitney's efforts in endeavoring to obtain resolutions in behalf of his Pacific railroad were successful.

Another legislative visitor of the period was Miss Dorothea Dix, whose name is famous in America for her efforts in behalf of State legislation for the establishment of insane hospitals and asylums throughout the country. In her beneficent work for the amelioration of the condition of prisoners, paupers and lunatics, she is said to have appeared before the respective legislatures of every state east of the Rocky Mountains, and to have been largely instrumental in procuring legislative action in a number of these states for the establishment of state hospitals for the insane. This was her mission in visiting Montgomery: but it does not appear that she was on this occasion successful.

In 1848 occurred the Presidential election and the birth at Buffalo, New York, on August 9th of a new political party, the Free Soilers, which adopted a platform containing the declaration that Congress had no more power to make a slave than to make a king. This platform further declared that there should be no more slave states and no more slave territories; and nominated Martin Van Buren for President and Charles Francis Adams for Vice-president. The Democracy earlier in the year had in their convention at Baltimore nomi-

nated Lewis Cass of Michigan and William Orlando Butler of Kentucky for President and Vice-president, and had renewed the strict-construction platforms of 1840 and 1844;—but with a significance as ominous as that with which Mr. Jefferson had viewed the adoption of the Missouri Compromise. It had voted down by an overwhelming majority a resolution that Congress had no power to interfere with slavery, either in the territories or the states. The Whig Convention, following that of the Democracy, had wisely recognized the influence of war upon the popular mind; and had done what Curry in his letter to Joiner had intimated a desire to see the Democrats do. It had met at Philadelphia in June, and nominated General Zachary Taylor for President, and Millard Fillmore of New York for Vice-president, without a platform or other declaration of party principles. Taylor was a slave-holder; and many Democrats in the South, "preferred a slave-holding candidate without a platform to a non-slave-holding candidate, on a platform in which support of slavery had been voted down." Taylor and Fillmore were elected by a majority of both free and slave states. The Northern Democrats believed that the Southern democracy had betrayed the Cass ticket: and when Congress met in December, nearly all of the Free State Democrats voted in the House for a bill to organize the territories of California and New Mexico, with the Wilmot Proviso attached.

The belief entertained by the Northern democracy that the Southern Democrats had not been loyal to Cass was certainly not true in Curry's case. Though, with a wisdom beyond his years and experience, he had put General Taylor forward as his fore-

most candidate, after his party had made its platform and its nominations he zealously supported both.

"I made a number of speeches in favor of General Cass," he writes in his record; "but the military fame of General Taylor gave him an early success."

Prior to his election to the legislature in August, 1847, an event had occurred in Curry's life of paramount importance above politics or any experience of office-holding or political campaigning. On the 4th of March, 1847, he married Ann Alexander Bowie, whose father, Judge Alexander Bowie, was born in Abbeville district, South Carolina, and died December 30, 1866, in Talladega. He was a graduate of the South Carolina College, a member of the legislature of that state, and at the Nullification Convention, a popular lawyer, and a very eloquent speaker. He moved to Talladega County, Alabama, in 1836; and was a trustee of the State University and chancellor of the Northern Division of the State. His son-in-law has left of him the memorial that "he was a fine conversationist, a graceful writer, and a scholarly, Christian gentleman." Mrs. Curry's mother was Susan Jack, a member of a prominent South Carolina family; and Mrs. Curry herself was born near Abbeville, prior to the father's removal to Talladega.

The issue of this marriage was four children, Susan Lamar, William Alexander, Manly Bowie, and Jackson Thomas. Of these, only two arrived at adult age. William Alexander Curry was born in 1854 and died in the following year; and Jackson Thomas Curry, who was born in 1860, also died in the year succeeding his birth. The oldest child,

Susan Lamar Curry, who was born September 2, 1850, married November 13, 1873, Reverend John B. Turpin, and died January 7, 1881. The son who grew to manhood was Manly Bowie Curry, who was born April 23, 1857. He was educated at the University of Virginia, and was a captain in the United States Army in the Philippines, after the Spanish-American War. He was killed in an automobile accident at Atlanta, Georgia, December 18, 1907. At the time of his death he was a major in the United States Army, and Paymaster of the Department of the Gulf. He left a widow and three small children to survive him.

CHAPTER VI

THE BONE OF CONTENTION

CURRY writes in his record, long after the stormy passions engendered by the politics of the slavery period had passed away:—

1850 was a year of much political excitement. Questions growing out of the acquisition of territory from Mexico deeply agitated the Southern mind. In Congress what was called the "Wilmot Proviso," prohibiting the introduction of African slavery into the territories lately acquired by expenditure of common blood and treasure, had divided political parties, and exasperated the North and the South. Since the close of the Mexican War, slavery as affecting the territories was the "bone of contention." A large party at the North demanded that the territories should be kept free from the "curse." The South felt that to exclude their peculiar property from common territory was a flagrant injustice, an insulting discrimination, and a violation of the Constitution. The two sections began to grow apart, and to feel alienation and animosity. Bills were numerous, during these years, in Congress, to adjust the dispute. Debates were able. Calhoun and Webster were then living; and they represented the two sides of the question.

David Wilmot, a democratic member of Congress from Pennsylvania, had introduced his famous "Proviso" in 1846. It consisted, as has been heretofore partially stated, of an amendment to the pending bill

for appropriating two millions of dollars for the purchase of a part of Mexico, and the amendment provided that neither slavery nor involuntary servitude except for crime should ever exist in said territory. The amendment passed the House of Representatives and failed of passage in the Senate; but it gave rise to the "Free-Soil" movement, and split the Northern and Southern democracy like a wedge. The Wilmot Proviso and the Missouri Compromise constitute the two crucial measures in the history of slavery legislation. Mr. Jefferson, in a sort of despair, called the Compromise "the Knell of the Union." To the Northern men of the 'forties the Proviso seemed the tocsin of the armed conflict necessary to preserve its life.

"The coincidence of a marked principle, moral and political, with a geographical line," said Jefferson, with pregnant prescience, of the Missouri Compromise, "once conceived, I feared would never more be obliterated from the mind; that it would be recurring on every occasion, and renewing irritations, until it would kindle such mutual and mortal hatred as to render separation preferable to eternal discord."

The object of the Missouri Compromise Act of 1820, as that of the Wilmot Proviso, was to delimit the extension of slavery: the former prohibiting slavery thenceforward north of the line of $36^{\circ} 30'$; and the latter, as stated, prohibiting it in the newly acquired Mexican territory. In 1846, the time of the Proviso, the great issue had come to be too exciting to admit of the picturesque and vituperative phraseology which men like John Randolph had bestowed upon the earlier measure.

The forces of North and South were beginning to align themselves for the titanic struggle which was to follow in less than two decades.

"In 1849-50 certain laws were passed, called 'Compromise Measures,'" continues Curry. "The spirit and general tenor of this legislation, it was thought by many persons, especially in South Carolina, Georgia, Alabama and Mississippi, were very hostile to the rights and equality of the South in the Union. In this year, 1850, and in 1851, an attempt was made to organize a party favorable to secession. I favored it, but the movement was unwise, premature and unpopular."

The Compromise Measures of 1850 were a series of acts dealing, for the most part, with the slavery question and the rights of the Northern and Southern States under the Constitution. Henry A. Wise of Virginia spoke of these measures as "an awful pacification"; but the stringent Fugitive Slave Law, written into the Compromise Acts by James Murray Mason of Virginia, served to make them the instrument of delaying the "irrepressible conflict" for another decade. In the meantime, the "attempt to organize a party favorable to secession" took place in the calling of a convention of Southern States to meet in June, 1850, at Nashville, Tennessee.

"The great object of a Southern Convention," wrote Mr. Calhoun on July 9, 1849, to Mr. Collin S. Tarpley of Mississippi, "should be to put forth in a solemn manner the causes of our grievances in an address to the other states, and to admonish them, in a solemn manner, as to the consequences which must follow, if they should not be redressed, and to take measures preparatory to it, in case they should not be. The call should be addressed to all those who are desirous to save the Union

and our institutions, and who, in the alternative, should it be forced on us, would prefer the latter."

The Southern Convention met at Nashville in June, 1850. Five Southern States were represented. A preamble and resolutions were adopted, which set forth with great vividness and effect the grounds of difference between the people of the South and those of the North in relation to the construction of the Federal Constitution and Slavery. In the preamble occurred these words: "We make no aggressive move. We stand upon the defensive. We invoke the spirit of the Constitution, and claim its guarantees. Our rights, our independence, the peace and existence of our families, depend upon the issue." Among the resolutions was one expressing "cordial attachment to the Constitutional Union of the States," but another declaring that Union to be one of "equal and independent sovereignties," possessing the right to resume the powers delegated to the Federal Government, whenever they deemed it "proper and necessary." There was also a resolution recommending to the Southern States that they meet in a Congress for the purpose of securing the restoration of their Constitutional rights, if possible, or else of providing for "their future safety and independence."

Pending the Compromise Measures in Congress, the Nashville Southern Convention adjourned to reconvene in the following November. Upon its reassembly in Nashville, its numbers were larger, and seven states were now found to be represented. But in the meantime the compromise bills had become laws: and the Southern Convention adjourned, after the adoption of a series of resolutions, that were as

extraordinary in their detail of the principles animating the men who made them, as they were futile.

"In the public meetings in Talladega County," continues Curry in his narrative of the political events of the period, "I took an active part, and made several speeches.

"Mr. Calhoun died this year, and at a public meeting at the Court House to take proper notice of the great loss, I was on the Committee on Resolutions, and made an address."

During the years of 1851 and 1852 Curry lived quietly on his farm, making an occasional speech at a farmers' meeting, or a Fourth of July oration at a country barbecue. Of an address of the latter kind he takes occasion to record that it "was thoroughly prepared and memorized, without my writing a word." Jackson Curry about this time bought a plantation in Marengo County, and moved thither; whereupon Jabez bought his brother Jackson's farm, which lay only three miles distant from Talladega, and more convenient to his law-office than his own. Settling on this place, he resumed the active practice of the law in Talladega, living there until 1865, when he moved to Marion.

"During these years," he writes, "there was scarcely a night that there were not one or more persons at my house—preachers, relatives, and friends were always welcome."

Of this overflowing and unassuming hospitality, characteristic of the people and country, he makes further mention:—

In the absence of a sufficient supply of preachers, Methodists, Baptists and Presbyterians held "camp-

meetings." An arbor was built, surrounded by tents rudely constructed of planks. The tent-holders furnished food and lodging, gratuitously and bounteously to all visitors. At the stand or arbor, preaching and other religious services were held during the day and at night. Immense congregations attended. The Baptists held a camp-meeting at Cold Water, a large clear stream of limestone water, on the boundary between Talladega and Calhoun Counties. My father had the largest tent on the ground, and entertained a large number of persons. I attended these meetings every year, and enjoyed them. Distinguished preachers were usually present. While liable to degenerate into physical excitement, the meetings on the whole were productive of good.

In 1852, Curry acted as agent for the Alabama and Tennessee River Railroad Company; and in this capacity traversed the counties of Talladega, Calhoun and Randolph, making speeches, and obtaining rights of way and subscriptions for the road, which was being built from Selma to Rome, via Monticello, Talladega and Jacksonville.

In 1853, he was again a candidate for the State legislature from Talladega County, and was again elected at the head of the poll. The speaker of the House, the Honorable William Garrett, appointed him to the chairmanship of the committee on Internal Improvements. He was also made a member of the committee on Education, and chairman of the House division of a joint committee to examine the accounts of the commissioner and trustee who had been previously designated to "wind up" the State bank and its branches.

A school law, heretofore referred to in an earlier chapter, introduced and championed by Judge Meek,

that was designed to institute and organize a system of public schools for the State, was enacted. Of its distinguished author, Curry has left the following memorial, written in 1895:—

Alexander B. Meek, then of Mobile, a brilliant speaker, of large culture, rich, poetic fancy, progressiveness of aim and thought, had the patriotic purpose to develop the minds of Alabama youth. In due time, from his committee on Education, he submitted an able report, accompanied by an elaborate bill, providing for the establishment and maintenance of a system of public schools. After an interesting debate, the bill became a law, and William F. Perry of Talladega was elected Superintendent.

But by far the most interesting and exciting question before the legislature was that of "State aid." Of this Curry writes:—

My committee reported bills, granting endorsement of railroad bonds, on certain well-defined conditions; and the Governor, John A. Winston, vetoed them. In the controversy, I defended the bills and the principle of well-guarded assistance to internal improvements.

Winston's opposition to State aid for railroads and the reissue of State banknotes as a loan to railroad companies won for him the soubriquet of "the Veto Governor." Curry's influence in the legislature, or other undisclosed causes, served to pass the State aid bills over the Governor's vetoes; but the latter triumphed in the end. The attorney-general of the State stood by the executive in the struggle, and gave an opinion that the acts were unconstitutional; and the treasurer of the State was instructed to make no disbursements under them.

Winston's attitude was vindicated by his re-election as governor in 1855, and the approbation of his course with reference to "State aid" by the legislature of that year.

For some years the question of a geological survey of Alabama had been agitated, and the relation of geology to agriculture had been discussed. The monumental work of William Barton Rogers, who had organized a survey of Virginia, and of his hardly less distinguished brother, Henry D. Rogers, who had made similar surveys of New Jersey and of Pennsylvania, had for the past two decades attracted attention to the historical geology of the great Appalachian chain; and farseeing men in Alabama beheld with the eyes of prophecy the future that State was destined to have when a full knowledge of her subterranean possessions should be unfolded and disclosed. In 1850, the committee on Education in the State Senate had submitted a bill for a geological survey; but no action was taken upon it. During the session of 1853-54, Curry offered a similar bill in the house, and it was referred to his committee on Internal Improvements. He reported it to the house from the committee, with a written argument in its behalf that was published separately. After considerable opposition the bill became a law. It authorized, among other things, the appointment by the Governor, of a State geologist at a salary of \$2,500, whose duty it should be to make a thorough survey, "so as to determine accurately the quality and characteristics of the soil and adaptation to agricultural purposes; the mineral resources, their location, and the best means for their development; the water power and capacities, and generally everything re-

lating to the geological and agricultural character of the State." It was the modest beginning of a tremendous movement, and contained in it the germ which fructified and bore abundant harvest later in the mines of Alabama, and the furnace fires of Birmingham and her sister cities of a later industrial epoch.

The year 1854 seems by the record to have been a quiet and uneventful one in Curry's personal history. In 1876 he wrote concerning it: "I can now recall nothing of special interest. My farm and profession occupied my time."

In May, 1855, William Curry, his father died; and in his death his son suffered a great loss. Mr. Curry was a man of no inconsiderable wealth, and large popularity. He was liberal and hospitable to a fault; and he was a conscientious and devoted Christian. At the time of his death he was a director of the Alabama and Tennessee River Railway Company; and, in filial affection, his son Jabez preserved among his papers to the day of his death, a copy of the resolutions of respect passed by William Curry's colleagues on the board of directors, May 24, 1855.

In proportion as the preceding year had seemed to him dull and uneventful, Curry found that of 1855 crowded to the brim with action and excitement. Writing of the time more than a generation later, he says:—

The years 1854-1855 will be long remembered for the origin, unparalleled growth and complete overthrow of the American or Know-Nothing Party. It was a secret political organization, with degrees or orders of membership, and a ritual of initiation. Strong oaths were administered to persons admitted. The party suddenly

became very popular. Lodges were organized, in nearly every neighborhood, village, town and city in the United States. So strong was the organization, it became presumptuous and intolerant of opposition. The leading object was to cultivate an intense Americanism, and exclude aliens from suffrage, and Roman Catholics from office. Nearly all the Whigs and many Democrats were beguiled into the party, which encountered its first and most serious opposition in Virginia, where Henry A. Wise, the democratic candidate for governor, made one of the most brilliant and effective campaigns ever made in the United States. In many other States the excitement was high; in none, more than in Alabama. In spite of many friendly warnings as to my self-inflicted political immolation, I was, from the beginning to the end, inflexibly opposed to the secret party and its principles. The death of my father and the settlement of his estate made it proper for me to decline candidacy for any office; but on July 3, 1855, I was by a county convention unanimously nominated for the legislative house of representatives. The convention was preceded by a large and tumultuous and sanguine assemblage of the opposition; and the leading speaker, in anticipation of my nomination, congratulated his party on the glory it would have in defeating "the Ajax Telamon of the Democracy." Having apparently no option, I accepted the nomination; and from that day until the election on the first Monday in August I traveled and spoke every day, except Sundays. The Know-Nothings never doubted of success; and I had to meet in debate Lewis E. Parsons, a knightly antagonist, one of the ablest lawyers in the State, a thorough gentleman, afterwards governor by presidential appointment, and Hon. Thomas B. Woodward, who had been a member of the Nullification Convention in South Carolina, and was the brother of Joseph A. Woodward, a leading member of Congress from South Carolina, and who participated with others

in the canvass. The crowds were large, and the debates warm and excited. Several times I spoke in face of threats of personal violence. Having obtained one of the little "yellow books" (which I now possess) containing the oaths and ritual, I used them unsparingly. I rode on horseback to our various appointments, and never more enjoyed intellectual encounters. My whole ticket was elected, I leading the poll, receiving a majority of 2,550. I was on the day of the election thirty miles from the Court House, and rode that night on horseback, reaching the Square about 2 A.M., to be received by as glad and enthusiastic an assemblage as ever rejoiced over an election. Letters came from prominent men, in various parts of the State, warmly congratulating me, as Talladega from the ability of the Know-Nothing candidates was one of the chief battle fields in the State.

The Know-Nothing party was, as stated by Curry, a secret organization, the chief plank of whose platform was "America for Americans." It masqueraded behind mystic symbolism, and the paraphernalia of ritual ceremony. It had supreme lodges and subordinate lodges, and degrees, and grips and passwords. It had appeared first in 1852; when, as is often the case with embryo political organizations, it contented itself with interrogating the candidates of other parties. Its secret name at first was "The Sons of '76, or the Order of the Star-Spangled Banner." Later it became "The National Council of the United States of North America." Its derisive nickname by those who vainly interrogated its members as to its program and significance, only to receive the reply, "I don't know," was that of "Know-Nothings." It largely supplanted the Whig party in the South and Southwest. After an overwhelming and crushing defeat at the

hands of the Virginia democracy, under the leadership of Wise in the gubernatorial campaign of 1855, its power began to wane, and its members deserted it, as rats leave a sinking ship. In spite of its loudly vaunted Americanism, it was distinctly un-American in its proscription for religious principle, and in its organization as a political party upon a basis of secrecy. Its members, abandoning both of these un-American dogmas, finally merged in the Constitutional Union party, which nominated and supported Bell and Everett in the portentous presidential election of 1860.

Curry's innate spirit of hostility to any political proscription chimed in with his established principles of democracy in this contest; and his triumphant campaign, which culminated in his enthusiastic reception in the late hours of election night by his excited and elated supporters, had been won with an energy and an eloquence that had been as effective as they were sincere.

The legislature met in the State House at Montgomery in December, 1855. The Speaker, Richard W. Walker, was not only a political but a personal friend of Curry's; and he again became chairman of the Committee on Internal Improvements, and also retained his place on the committee on Education, and on the joint committee to examine and audit the accounts of the Bank Commissioner. During this session he made speeches on subjects of internal improvement, on the proper disposition of the bills of the State bank, and on the American party. The last was in reply to the Honorable C. C. Langdon of Mobile; and created so unusual and distinct an impression for ability and eloquence upon its hearers,

that its publication was requested by every democratic member of the house. Its author, however, with characteristic modesty, declined the proffered request; and the speech, like many other unusual and unreported specimens of human eloquence, passed into the limbo of forgetfulness.

The geological bill, which in the preceding session had become a law, continued an object of interest and improvement with him; and a report upon it and its operations, from his committee on Internal Improvements, written and presented by him, and of which a thousand copies were printed and circulated in the State, emphasized its importance, and added vitality and effect to its provisions.

He had been a delegate from his county to the State democratic conventions of 1847 and 1852; and he was again elected to that of 1856, whose function it was, among others, to choose delegates to the National Democratic Convention, which met in Cincinnati, June 2 of that year, and nominated Buchanan and Breckinridge on a strict-construction platform, which included a condemnation of Know-Nothingism, an approval of the Kansas-Nebraska bill, and the substitution of what its adversaries called "Squatter Sovereignty" in place of the provisions of the Missouri Compromise.

All these doctrines were highly acceptable to Curry, who belonged to the school of Calhoun democracy, the members of which dominated the convention. He was made a presidential elector on the State democratic ticket of that year.

"I canvassed the district thoroughly," he writes of his own part in the campaign, "and spoke also in Selma and Marion. I received the highest vote of any of the elec-

tors; and went to Montgomery to meet the Electoral College and cast the vote of the State for Mr. Buchanan."

His personal and political popularity, extending from his county, in which, in three successive legislative campaigns, he had led the poll as a candidate, was now illustrated in the State at large in the fact which he so modestly states, that he "received the highest vote of any of the electors." This popularity, when first evidenced, was attributed by him to his "small size, his youthful appearance, and the popularity of his father." As a matter of fact, it was undoubtedly due to his powers as a popular orator, and to his equipment as a well-informed politician of pleasing address, of profound convictions, of frank expression, and of great energy and enterprise. Of himself at this period he writes:—

Nominally practising law, I attended to my farm and read much of politics and miscellaneous literature. I desired to prepare myself to be a statesman, and my reading was largely in that line.

Besides his other work, already noticed, he wrote at this time a great deal for the newspapers. His close connection with the *Talladega Watchtower*, which had begun soon after his return from Harvard, continued; and in 1856, nearly all of the *Watchtower* editorials were from his pen. He says:—

"I wrote much for the above paper, and became a tolerable printer, and an expert proof-reader. Reading proof I consider a valuable part of my education."

CHAPTER VII

“BLEEDING KANSAS”

IN the fall of 1856 occurred the Presidential election, with the extension or restoration of slavery in the Territories, the burning question of the hour. Buchanan and Breckinridge, the democratic candidates, were elected over the opposing Know-Nothing and Republican tickets, whose nominees were respectively Millard Fillmore and Andrew Jackson Donelson on the former, and John C. Fremont and William L. Dayton on the latter. The democratic ticket received 174 electoral votes; that of the Republican party 114, and the Know-Nothing candidates 8. Buchanan and Breckinridge were inaugurated March 4, 1857; and the Supreme Court of the United States rendered its opinion in the Dred Scott case two days later. It is significant of the inflamed condition of the public mind on the question of slavery, that although this case had been decided in 1856, the great tribunal which had determined it thought it best to withhold its opinion until the excitement of the Presidential election should have subsided.

In May, 1857, a democratic convention for the Congressional district in Alabama, which included Talladega, met in that town, and nominated Curry for Congress, his competitor, Colonel Griffin, retiring after hearing two of Curry's speeches in the canvass.

The democratic candidate made political addresses in every county in his district, although without opposition, in the effort as he states “to instruct the people on grave political issues and the character of the government.”

After the election in November, Curry, with his family, consisting of his wife, two children, and a servant, went to Washington, and took rooms at the Ebbitt House, where his kinsman, L. Q. C. Lamar, then a member from Mississippi, and several colleagues from Alabama, were established. Alabama in this session was represented in the lower house by James A. Stallworth, Eli S. Slater, James F. Dowdell, Sydenham Moore, George S. Houston, Williamson R. W. Cobb, and J. L. M. Curry. The Senators were Clement C. Clay, Jr., and Benjamin Fitzpatrick.

Congress met on the 7th of December, with a substantial democratic majority in both houses, although in the preceding Presidential election there had been no popular majority for any one of the three tickets in the field; and Fremont would have been elected if Pennsylvania and Illinois had voted Republican. But the breach had not yet come in the democracy between the Douglas democrats, and those who upheld the doctrines of Calhoun under the leadership of Breckinridge and Yancey and Toombs and Davis,—a breach that divided the great political organization and lit the fires of civil war four years later in the ascendancy of the young Republican party. In the Senate there were 39 Democrats, 20 Republicans and 5 Know-Nothings. In the House the Democratic membership numbered 131, the Republican 92, and the Know-Nothings 14. James

L. Orr of South Carolina was elected Speaker; and Curry was assigned to the unimportant committee on Revolutionary claims, whose membership nevertheless included three other important personages in Owen Lovejoy, of Illinois, Henry L. Dawes, of Massachusetts, and Samuel S. Cox, of Ohio, later of New York. Lovejoy, the fanatic and fiery abolitionist, had been moved twenty years before by the murder of his brother, Elijah P. Lovejoy, at the hands of a mob in Alton, Illinois, to espouse the anti-slavery cause, which he advocated thenceforth with an energy, an eloquence, and a relentlessness that made him conspicuous among its restless and restless protagonists. Dawes, like Curry, was serving his first term. He succeeded Charles Sumner as Senator from Massachusetts, and held conspicuous position in the affairs of the country for a period long subsequent to the close of the War between the States. Cox had been a newspaper editor, in which position he had achieved the soubriquet of "Sunset" from a glowing and iridescent quality of his editorials, combined with the initials of his name. He was a voluminous writer and an effective and humorous speaker.

Curry makes record of the fact that his Revolutionary Claims Committee had little work to do. Nevertheless, he sought and found other opportunities for work; and on the 10th of February, 1858, he made his first appearance on the floor in the presentation of a memorial of the General Assembly of Alabama in favor of the establishment of an armory in Shelby County, which was referred to the Committee on Military Affairs, and ordered to be printed. In the light of later events, it seems a significant and

a most ominous act; but there is nothing to show that Curry, in presenting the wishes of his State in the premises, had any anticipation of the early subsequent need of armories in the South.

Two weeks later, on the 23rd of February, he made his first set speech in the House. It was in the course of the Kansas debate and upon the Kansas question.

It was such a speech as one would expect from a young Alabamian of that day, fervid, intense, defiant and thrilling with the conviction that abolition meant economic and social ruin to the people of his section. He was speaking from the heart when he shouted in this maiden speech:—

With a like spirit, in total disregard of human suffering, John Quincy Adams, with all the fervor of hate and fanaticism, on the floor of the House, in 1844, gave utterance to the sentiment: “Let the abolition of slavery come; by whatever means—by blood or otherwise—let it come.” If it did come, commerce would languish, factories would stop, banks would suspend, credit would expire, and universal woe would brood over this land. The fearful panic now upon us has impaired confidence, produced ruin and distress, bankrupted individuals and corporations, diminished trade, and inflicted losses from which twenty years will not recover us; and yet these consequences are trivial and insignificant compared with the sudden destruction of two thousand millions of property, the uprooting of social institutions, and the perishing of a nation. The sirocco’s blast, the tornado’s sweep, the earthquake’s heavings, the ravages of the pestilence, faintly foreshadow the appalling desolation which would ensue upon such a catastrophe.

The story of what came to be known in the political parlance of the period as “Bleeding Kansas” is

as full of bitterness and woe as a Greek tragedy. The very name reeks with the evil memories of border ruffianism, of intolerance, of the ferocity of human hate growing out of a quasi-moral political question, of Lecompton constitutions and Topeka conventions, while above all looms the fanatical and sinister figure of "Ossawatomie" Brown.

Kansas for a number of years had been the battle-ground between the extension and the restriction of slavery. As the territory had advanced towards a condition which entitled it to statehood, the contest had increased in violence. The opponents of either side were constantly up and doing. The abolitionists of New England poured into the Territory their hordes of subsidized colonists. The slave-holding Missourians sent bands of pro-slavery settlers with guns in their hands. With an eagerness that epitomized the rapidly crystallizing sentiment of the two diverging sections of the Republic, the two sides sought to possess themselves of the coming state.

Curry writes of the situation:—

Douglas of Illinois and the Democrats, to get rid of what was called the "Wilmot Proviso," sought to flank the question by leaving it to the people to regulate their domestic institutions in their own way, subject only to the Constitution of the United States. Another question afterwards arose, whether the "inhabitants of a territory while in territorial pupilage could abolish slavery," or must that question be determined by the "people" assembled in convention to frame a constitution, their organic law.

Both parties in Kansas had framed constitutions, the anti-slavery men at Topeka, in October, 1855, and the pro-slavery men in October, 1857; and both

parties were seeking the admission of Kansas as a state of the Union, each under its respective constitution. Curry favored its admission as a state "with or without slavery, as the constitution may require," but in no uncertain attitude as to which constitution he preferred.

"The rejection of Kansas, with the Lecompton Constitution," he said, "speaks the dissolution of, or sectionalizes the Democratic party, which is the strongest ligament that binds the Union together. It will be the unmistakable annunciation that no more slave States are to be admitted into this Union; that the South is to be degraded and reduced to inferiority; that there is to be no extension of her limits, no enlargement of her boundaries; that slavery shall be restricted with constantly narrowing confines; that for her, within this Union, there is to be no future but bleak, gloomy, hopeless despair."

He dwelt upon "the lamentable results" of abolition, as it was sought to be effected; and he expressed his profound "conviction of the importance of the question, and the magnitude of the interests involved." He declared that he but echoed the sentiment of his State, as authoritatively expressed by her General Assembly, and proclaimed his determination to follow her lead.

"I will not anticipate her course," he continued; "but recognizing to its fullest extent the right of secession, and owing to her my allegiance and fealty, when she calls I will respond; where she goes I will go; her people shall be my people, and her destiny my destiny."

Thus, in the simple eloquence of scriptural phraseology, he voiced the political creed of the

democrats of the school of strict construction from Mr. Jefferson and Randolph of Roanoke and George Mason, down through Calhoun and Tyler to Breckinridge and Jefferson Davis, with a clearness and a courage characteristic alike of the man and of the times. The battle call of the abolitionists for three decades had been "secession," not on account of the Constitution, but of slavery. Wendell Phillips of Massachusetts had said at a meeting in Boston, in May, 1849, "We confess that we intend to trample under foot the constitution of this country." And later he declared:—

"There is merit in the Republican party. It is this: It is the first sectional party ever organized in this country. * * * It is not national; it is sectional. It is the North arrayed against the South. * * * The first crack in the iceberg is visible; you will yet hear it go with a crack through the centre."

William Lloyd Garrison had demanded in his paper, *The Liberator*, in September, 1855, "a Northern Confederacy, with no Union with slave-holders"; and in the same paper of June 20, 1856, had denounced the United States Constitution as "a covenant with death and a league with hell." Rev. O. B. Frothingham, in the May of the preceding year, had said: "He believed that this Union effectually prevented them from advancing in the least degree the work of the slave's redemption. . . . As to the word 'Union,' they all knew it was a political catchword."

Curry, to whom the compact theory of our government seemed irrefutable, was ready for secession because of a violated constitution, whose violation

concluded its pact, and because he believed that that constitution itself, in reserving to the State the powers not expressly delegated to the Union, reserved to it the right, when it saw fit, to end its connection with the Union, in the exercise of its unquestionable sovereignty. That slavery itself was a thing to be gotten rid of, he doubtless held then, as many other southern Democrats held, who yet supported it as a social institution that had become so inextricably interwoven with the fabric of the body politic, as to be incapable of release save by the fatal operation called Caesarian. Though in his later years his views of slavery became, in the light of time and experience greatly modified, and he found himself “glad that it is gone,” and wondered “that I and others should have ever sanctioned and defended it,” no subsequent event ever abated one jot or tittle of his faith in the strict construction of the Constitution, and in the doctrine of the rights of the States, with which the tremendously difficult question of slavery was so intimately and apparently inextricably involved. State sovereignty and the right of secession were boldly proclaimed and ably championed in this first speech of his in the halls of Congress. He came at last, as most others of his day and creed came, to accept the judgment of arms upon the question of secession; but his belief in the strict construction of the Constitution and the reserved rights of the States, as has been said, abode with him as part of his political creed, and he remained a Jeffersonian Democrat unto the last.

“In the light of subsequent experience, quite apart from constitutional questions,” he wrote in his commonplace book forty years afterwards with a significant

maintenance of the integrity of his political thinking, "I put here on record my gratitude that Kansas was not cursed with the institution of African slavery."

This sentiment was a reasonable expression of the feeling that had animated Mr. Jefferson when he sought to incorporate into the Declaration of Independence a protest against the continuance of the slave trade, and to write into the "Ordinance of 'Eighty-seven'" the prohibition of slavery in the Northwest Territory; that had made John Marshall the first President of the Colonization Society of Virginia; that had caused George Mason, in the Virginia Convention of 1788, having under consideration the adoption of the Federal Constitution, to denounce that clause of it which permitted the importation of slaves for twenty years; and that induced General Robert E. Lee and a host of other Southerners to manumit their slaves. The right of secession, advocated by the thoughtful southern *ante-bellum* Democrat, was advocated for the sake of constitutional liberty; and not, as in the case, at least, of the more violent northern abolitionist, on account of slavery.

Curry's speech in the Kansas debate was listened to with marked interest and attention by his Congressional auditors, and it was widely circulated in printed form throughout the South. Greeley, in the *Tribune*, recognized its ability, and pronouncing it "a strong speech," said of its author: "He is certainly a powerful addition to the pro-slavery side of the House."

Curry's habits of life at this time were characteristic of the man, and go far toward explaining his success in Congress as well as in his subsequent

career. He was a regular attendant at the E Street Baptist Church, whose pastor was Dr. Samson, President of Columbian College. An acquaintance thus began between the two men, which ripened through succeeding years into a valuable friendship. Through the influence of President Samson, Curry was invited to address the students of the College. The audience assembled in the Smithsonian building; and he had the gratification of seeing among his auditors the President of the United States, Mr. Buchanan; General Lewis Cass, who had been a nominee of the national democratic party for the Presidential office; and Professor Joseph Henry, whose work as a physicist has left him a greater fame than that of more than one President of the Union; and whose splendid biography is epitomized in that of a later great physicist no less famous, who said of Henry that “he never engaged in an investigation or an enterprise which was to put a dollar into his own pocket, but aimed only at the general good of the world.”

Curry’s devotion during this session of Congress to the duties of his office was diligent and conscientious. He was punctual in attendance, and alert and painstaking in his attention to the public matters which came before the House. In addition, he makes record that “business before the departments was plentiful; and correspondence was heavy; but by preventing accumulation of work, I was never behind, and rarely pressed. In those days members of Congress had no clerks.”

During this session a bill was introduced granting pensions to the soldiers of the War of 1812. Curry, with the well-grounded principles of the strict con-